

Applicant: SLAVIN
Appl. No. 09/715,068

Remarks/Arguments

Applicant thanks the Examiner for her careful consideration of this application and for the helpful telephone discussion with Applicant's undersigned representative on February 10, 2006. Applicant requests entry of the above amendments and requests reconsideration of this application in view of those amendments and in view of the remarks to follow.

Claims 2-8, 10-26, 28-31, and 37-39 are now pending in the application, with Claims 9 and 28 being the independent claims. Claims 9 and 33-36 have been cancelled without prejudice to pursuing their subject matter in the future. Claim 2 has been amended to incorporate the limitations of canceled Claim 9, and claims previously depending from Claim 9 have been amended to depend from (amended) Claim 2. Claim 18 has also been amended to depend from Claim 2. Claim 13 has been amended to change its wording to the standard *Markush* wording. Applicant reserves the right to pursue in a subsequent application, without prejudice, any subject matter found in any of the amended claims prior to their amendment.

Based on the above amendments and the following remarks, Applicant respectfully requests that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

The Office Action, at page 4, allows Claims 28-31 and 37. Applicant gratefully acknowledges the allowance of these claims. The Office Action, also at page 4, indicates that Claims 2-8 and 39 contain allowable subject matter and would be allowable if rewritten in independent form. Applicant has elected to rewrite Claim 2, from which Claims 3-8 and 39 depend, in independent form by incorporating the limitations of (canceled) Claim 9.

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Furthermore, Applicants have also amended Claims 10-24 and 38 to depend from Claim 2.

Based on these amendments, Applicant now respectfully submits that Claims 2-8, 10-26, 28-31, 38, and 39 are now in condition for allowance and requests that their allowance be indicated in a subsequent Office Action.

At pages 2-3, the Office Action rejects Claims 9-26, 28, and 33-37 under 35 U.S.C. §§ 101 and/or 112, second paragraph. Despite respectfully disagreeing with these rejections, Applicant has elected to cancel Claim 9, for the sake of expedience, and to make the amendments found above, to place all remaining claims in condition for allowance and to cancel Claims 33-36, thus rendering moot their rejections (as well as the rejection of Claim 9). It is, therefore, respectfully submitted that the rejections of Claims 9-26, 28, and 33-36 should be withdrawn.

Applicant respectfully states that the above amendments are not to be understood as indicating concurrence with the characterizations of the claims found in the Office Action.

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Conclusion

All of the stated grounds of rejection and objection have been properly traversed, accommodated, or rendered moot. Applicant, therefore, respectfully requests that the Examiner reconsider all presently outstanding rejections and objections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is hereby invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested.

Respectfully submitted,

/Jeffrey W. Gluck/

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